TL 4319

OMCT
OPERATING THE SOS-TORTURE NETWORK

ORGANISATION MONDIALE CONTRE LA TORTURE
WORLD ORGANIZATION AGAINST TORTURE
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Case IDN/TMP 181197

The International Secretariat requests your **URGENT** intervention in the following situation in **East Timor**

Brief description of the situation:

The International Secretariat has been informed by various reliable sources of the grave concerns over the physical and psychological integrity of eight East Timorese students, who sustained serious gunshot wounds during a confrontation with Indonesian security forces, at the University of East Timor in Dili, on the morning of 14 November 1997.

According to the information received the eight students, **Antonio Viegas**, 24, **Albano Barreto**, 27, **Natalina Duarte de Araujo**, **Adolfo da Costa**, **Joaquim Matatai**, **Abrao do Nascimento**, **Bendito Simao** and **Orlando** (no surname) are currently in custody at the military hospital at Wirahusada, Dili. Indonesian authorities have admitted that some arrests have been made and it is believed that up to 10 to 15 students were driven away by the Indonesian police for questioning at either POLDA (local police station) or POLRES (Regional police) headquarters. However, their whereabouts is still unconfirmed.

The confrontation between the students and Indonesian security forces is believed to have started when an argument broke out on the campus between students and two members of the Indonesian military dressed in plain clothes. When faced with the students demanding to know their presence at the university, the both men left the campus and returned with members of the BTT (territorial battalion). It is believed that the soldiers then opened fire into the crowd of students seriously injuring several students. The soldiers were later joined by members of battalion 744 and Indonesian police, who claimed to have fired shots into the air to disperse the crowd.

Reports state that several wounded students were beaten with riffle butts and bayonets. One student who sustained a serious gunshot wound to the neck was forcibly removed from an ICRC (International Committee of the Red Cross) vehicle and severely beaten by the police. Furthermore, **Abrao do Nascimento** and **Bendito Simao** who received serious gunshot and knife wounds to their arms and faces, were forced to remain handcuffed while being driven by the military to the hospital.

According to several reports, military authorities had prevented representatives of the ICRC and other humanitarian organisations from entering the university to give assistance to the wounded.

The International Secretariat is concerned for the safety of all the students taken into custody, in particular for the eight wounded students at the military hospital as some of the wounded were mistreated by the military on their way to the hospital. Detainees in East Timor are routinely subjected to torture and ill-treatment while in military or police custody and the risk of torture and ill-treatment is heightened, especially when the detainees are denied access to their families and independent legal counsel.

Action requested:

Please write to the Indonesian authorities urging them to:

i. immediately locate the whereabouts and clarify the identity of all the East Timorese students arrested after the confrontation at the University of East Timor in Dili, take all the necessary measures to guarantee their physical and psychological integrity and ensure that they have immediate and ongoing access to medical assistance.

ii. order their immediate release in the absence of valid charges or if such charges exist, bring them before a competent and impartial civil tribunal and guarantee their procedural rights at all times;

iii. carry out an impartial and thorough investigation into the events, identify those responsible and impose upon them the civil, penal and/or administrative sanctions provided by law

iv to ensure in all circumstances the full respect of human rights and fundamental freedoms in accordance with national and international standards.

Addresses:

MINISTER OF JUSTICE M. Haji Utoyo Usman S.H., Menteri Kehakiman, JI. H.R. Rasuna Said Kav. 6-7, Kuningan, Jakarta Selatan, Indonesia. Fax : + 62 21 525 3095

MINISTER OF FOREIGN AFFAIRS, Ali Alatas S.H. Menteri Luar Negeri, Jl Medan Taman Pejambon No. 6 Jakarta, Indonesia, Fax +62 21 380 5511/360 517/345 7782/360 541

CHIEF OF NATIONAL POLICE Maj. Gen. (Pol.) Banurusman Atmosumitro, Kapolri, Markas Besar Kepolisian RI, JI. Trunojoyo 13, Kebayoran Baru, Jakarta Selatan, Indonesia.
Telegrams : National Police Chief, Jakarta, Indonesia

CHIEF OF POLICE FOR EAST TIMOR, Colonel Atok Rismanto, Kapolda Timor Timur, Dili East Timor Indonesia:
Telegrams: Kapolda, Dili, East Timor

MILITARY COMMANDER REGION IX/UDAYANA (includes East Timor)
General Syahrir MS. Pangdam IX/Udayana, Markas Besar KODAM IX/Udayana, Denpasar, Bali, Indonesia.
Telegram : Pangdam IX/Udayana, Denpasar, Bali, Indonesia.

SECRETARY GENERAL, NATIONAL COMMISSION ON HUMAN RIGHTS Prof. Dr. Baharuddin Lopa, Sekretaris Jenderal, Komisi Nasional Hak Azasi Manusia (Komnas HAM), JI Latuharhary No.4 B, Menteng Jakarta Pusat, Indonesia.
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The Indonesian Embassy in your respective country.

Geneva, 18 November 1997

Kindly inform us of any action undertaken quoting the code of this appeal in your reply